

Exhibit A

Proposed Order

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

96 WYTHE ACQUISITION LLC,

Debtor.

Chapter 11

Case No. 21-22108 (RDD)

**ORDER GRANTING NON-DEBTOR THIRD-PARTY MIRIAM GROSS'
MOTION TO QUASH AND/OR MODIFY SUBPOENA DIRECTED TO
AND SERVED UPON JPMORGAN CHASE BANK, N.A.**

Upon the motion (the “**Motion**”) of Non-Debtor Third-Party Miriam Gross (“**Ms. Gross**”), for entry of an order (this “**Order**”), pursuant to 11 U.S.C. §§ 105(a) and 1104(c) and Rules 7026, 9014, and 9016 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), quashing and/or modifying the subpoena directed and served upon JPMorgan Chase Bank, N.A. (“**Chase**”) demanding production of bank statements and checks from Ms. Gross’ personal account ending in 3556 and others (the “**Chase Subpoena**”); and the Court having jurisdiction to consider the matters raised in the Motion pursuant to 28 U.S.C. §§ 157 and 1334; and consideration of the Motion and the requested relief being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409; and Ms. Gross having standing to pursue said relief pursuant to *Chazin v. Lieberman*, 129 F.R.D. 97, 98 (S.D.N.Y. 1990), *Catskill Dev., L.L.C. v. Park Place Ent. Corp.*, 206 F.R.D. 78, 93 (S.D.N.Y. 2002), and their progeny; and due and sufficient notice of the Motion having been provided; and it appearing that no other or further notice need be provided; and the Court having reviewed the Motion; and all objections to the Motion, if any, having been overruled or otherwise resolved; and the Court having found and determined that the legal and factual bases set forth in the Motion establish

just cause for therelief granted herein; and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT:

- A. The Motion is granted as provided herein.
- B. The Chase Subpoena is quashed and/or modified to the extent it seeks any information related to Ms. Gross' personal account ending in 3556 or any other.
- C. The Examiner may not investigate Ms. Gross absent further order of the Court.
- D. The subpoenas issued by the Examiner shall be limited to the Examination Topics, and the Examiner is directed to serve amended subpoenas consistent with the foregoing.
- E. This Order shall be effective and enforceable immediately upon entry hereof.
- F. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation, interpretation and/or enforcement of this Order.

Dated: , 2022
New York, New York

THE HONORABLE ROBERT D. DRAIN
UNITED STATES BANKRUPTCY JUDGE